



TRADITION OF EXCELLENCE

750 Third Avenue
New York, NY 10017-2703
(212) 687-8181
Fax: (212) 972-9432
www.kreindler.com

VIA ECF/CM
Honorable George B. Daniels
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Ashton, et al. v. al Qaeda Islamic Army, et al., 02-CV-6977 (GBD)(SN)
Ashton, et al. v. Kingdom of Saudi Arabia, 17-cv-02003(GBD)(SN)

Dear Judge Daniels:

In its reply brief to the *Ashton* Plaintiffs' opposition to the Saudi High Commission's motion to dismiss, the SHC notes that the Affidavit of Steven R. Pounian and James P. Kreindler Paragraph 22 contains an assertion not supported by the exhibit cited thereafter. *See* SHC Reply Brief, 03-md-1570 (GBD) Doc. No. 3852, p. 9. In the Pounian / Kreindler Affidavit, the sentence "SHC provided material support to the elite al Qaeda unit in Bosnia led by Abu Zubayr" should have been followed by a citation to the recorded witness statement of Ali Ahmad Ali Hamad, previously filed with the Court as Exhibit 225 of the Averment of Facts docketed at 03-md-1570 (GBD) Doc. No. 2927-24, at p. 9. A copy of that previously filed exhibit is attached hereto as proposed Exhibit 265 to the *Ashton* Plaintiffs' Opposition to the Motions to Dismiss of the Kingdom of Saudi Arabia and the Saudi High Commission.

We respectfully request that the Court formally accept this document as Exhibit 265 to our opposition papers.

Dated: New York, New York
January 12, 2018

Respectfully submitted,
KREINDLER & KREINDLER LLP

BY: /s/ James P. Kreindler
James P. Kreindler, Esq. (JK 7084)
Andrew J. Maloney III, Esq.
Steven R. Pounian, Esq.
Attorneys for Ashton Plaintiffs

cc: All MDL Counsel of record via the ECF

California Office

707 Wilshire Boulevard, Los Angeles, CA 90017-3613
Tel: (213) 622-6469 Fax: (213) 622-6019

Massachusetts Office

277 Dartmouth Street, Boston, MA 02116-2805
Tel: (617) 424-9100 Fax: (617) 424-9120